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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,795	03/05/2002	James A. Jorasch	02-004	8016
22927	7590	12/17/2004	EXAMINER	
WALKER DIGITAL FIVE HIGH RIDGE PARK STAMFORD, CT 06905			TIEU, BENNY QUOC	
			ART UNIT	PAPER NUMBER
			2642	
DATE MAILED: 12/17/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/090,795

Applicant(s)

JORASCH ET AL.

Examiner

Benny Q. Tieu

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-3, 8-13, and 14-17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Pickering (U.S. Patent No. 5,960,442) in view of Guernsey (The New York Times, February 7, 2002).

Regarding claims 1, 17 and 18, Pickering teaches an interactive directory system comprising a user interface displayable on a video monitor at a workstation and displaying at least one directory entity and a status for that entity; and comprising also a contact address for a computer having status information for the directory entity. The directory system contacts the computer at the contact address, accesses status information for the person or organization, and displays in the interactive directory updated status information for the directory entity. The status information displayed may at least one telephone number for the directory entity. In some embodiments the computer contacted for status information is the same computer upon which the interactive directory is executed, and in some embodiments the computer contacted is a statistical server (stat-server). The stat-server may be a stat-server in a call-center system. Also, the computer may be a workstation on the Internet, and may also be a CTI-server connected by a CTI link to a telephony switch connected to a public switched telephony network (PSTN) (column 2, lines 10-29 and column 4, line 60 through column 6, line 10). Pickering fails to teach the status information indicating a text messaging feature is using by that entity (e.g. the status

Art Unit: 2642

information indicates that the entity is busy because the entity is using Internet). However, Guernsey teaches that the technology is able to provide many people that a buddy is online (page 2, 4th paragraph). It is noted that when the status of the buddy is notified, it is read into the limitation “a text messaging feature of the first telephone is used”. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of instant messaging as disclosed by Guernsey into the system disclosed by Pickering in order to save time for a caller who intends to make a call to a busy line of a particular person.

Regarding claim 2, Pickering inherently teaches that the method further comprising storing a first identifier that identifies the first telephone and a second identifier that identifies the second telephone, and sending the first identifier to the second telephone because the method needs to know what phone number to be monitored and what phone number to be sent the monitored information.

Regarding claims 8-10, see column 5, lines 20-23.

Regarding claims 11 and 12, Pickering further teaches the method comprising: determining if the second telephone is authorized to receive the status of the first telephone and encrypting the status with a public key before sending the status to the second telephone (column 7, lines 5-10).

Regarding claim 14, Pickering further teaches the method wherein the status indicates whether the first telephone is off-hook (Fig. 2).

Regarding claim 15, Pickering further teaches the method wherein the status indicates whether a user of the first telephone has entered at least one predetermined DTMF code into the telephone (column 5, lines 30-38).

Regarding claim 16, it is inherent that Pickering further teaches the method comprising the step of receiving an acknowledgment from the second telephone of a successful transmission of the status because when a signal is sent over a telecommunication network, an acknowledgment of receiving the signal should be the next step in the network.

Regarding claims 3 and 13, Pickering and Bossi et al. fail to teach the method comprising verifying good standing of a customer account of the second telephone. However, this step is obvious because the service company wants to make sure that the customer is willing to pay for the service. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of verifying the customer account in order to avoid fraud in billing.

3. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickering in view of Guernsey and further in view of Weber (U.S. Patent No. 5,812,668).

Regarding claims 4-7, Pickering and Guernsey fail to teach a request including a digital signature. However, the digital signature is well known in the art and taught by Weber (Fig. 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the digital signature taught by Weber into the method disclosed by Pickering in view of Guernsey in order to make the service more security.

Conclusion

4. Any response to this action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

- OR Hand-delivered responses should be brought to:

Crystal Park II, Sixth Floor (Receptionist)

2121 Crystal Drive

Arlington, VA 22202.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2642

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Q. Tieu whose telephone number is (703) 305-2360. The examiner can normally be reached on Monday-Friday: 6:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Benny Q. Tieu

**BENNYTIEU
PRIMARY EXAMINER**

A.U. 2642

BQT

December 13, 2004